



Mayor Helps and Council
City of Victoria
No.1 Centennial Square
Victoria, BC
V8W 1P6

February 2nd, 2020

Re: 937 View Street – Development Permit with Variance

Dear Mayor Helps and Council,

The DRA LUC met with the applicant once in 2017 prior to application to discuss an earlier version of this application. The DRA expressed concerns regarding the original application and the applicant has not contacted the LUC since that time.

The property is currently zoned R-48 which was applied to all Harris Green parking lots in the 90's by the City without the owner's application. This has turned out to be a considerable windfall for the original property owners who were not required to offer any benefit to the community in exchange for these substantial upzonings. The R-48 zone has minimal setbacks and only prescribes a height limit of 10 stories. The subsequent increase of height limits permitted by the OCP and DCAP since 2012, combined with the lack of density prescription in the R-48 zone created loopholes that have been exploited by applicants who apply for height variances to realize densities not otherwise possible. Neither Planning Staff nor Council has made any effort to close these loopholes (as easy as declining the variance or requiring an OCP amendment for density) so building applications have been considered and approved "as of right" substantially in excess of OCP density limits, and ignoring basic liveability criteria.

Comments and concerns regarding the application at 937 View Street by the DRA LUC are as follows:

- This application does not comply with DCAP policy for setbacks and floor plates. These policy violations have profound effects on the liveability for the future residents of this building as well as the surrounding properties.
- East side yard setbacks of only 3.45 m are proposed for floors 11-15 while DCAP requires 6.0m.
- Rear yard setbacks of only 3.1 m are proposed for floors 11-15 while DCAP requires 6.0m.
- Front setbacks do not comply with DCAP above the 7th floor
- The 3.0m side and rear yard setbacks up to 10 stories while complying with DCAP minimums are inadequate for liveability and have been identified for revision in the upcoming DCAP review.
- Floor plate sizes for floors 11 to 15 exceed DCAP requirements by 31%.

- Built examples of R-48 zoned land that maintain the required 10 storey height limit rarely achieve a density of 5:1. The proposed density is 7.8:1 while the OCP maximum is 5.5:1. The R-48 zone does not specify a density entitlement so why isn't an OCP amendment required for this proposal?
- There are 15 parking spaces proposed for 253 market rental units. The evidence-based requirements of Schedule C require 126 spaces. R-48 does not require parking however the height variance sought will permit a building approximately 50% larger than the 10-storey zoning limit would permit exacerbating the parking shortage downtown.
- There is no evidence to justify the provision of such a minimal amount of parking for this type of housing tenure as the demand for onsite parking by tenants will surpass the parking supply. The outcome will be that these vehicles will be parked in the surrounding neighbourhoods effectively "transferring the problem" elsewhere.
- It remains clear that privately owned vehicles will remain popular but electric cars may inevitably dominate. As reported by CTV News on November 28, 2019; "The province now boasts the highest per-capita sales of electric vehicles in North America". This application should provide the parking required by Schedule C as well as charging stations to support and incentivize the conversion from internal combustion engine (ICE) vehicles to electric vehicles.
- The developer has not provided an adequate number of storage lockers; with only 76 for 253 residential units.
- Questions remain regarding whether liveability can be found in a studio apartment no bigger than 32 m sq. Even though they're called "1 bedroom", they are not, since there is no closet in the space. These "1 bedrooms" are nothing more than a space for a bed with two sliding doors on either side of the bed.
- How does this project align with the City's plan to implement their City Vision 3.0 while asking all these high salaried people to live in such cramped quarters - is this really is the best our city can offer?
- All residents, regardless of income level, want to enjoy and be proud of where they live. There are concerns that this project does not support long-term liveable housing options.
- There are no public amenities proposed for this application. The original property owner has been able to extract the total value of the original R-48 rezoning without a corresponding contribution to the public good.

The DRA has long expressed concerns about how the R-48 zone has been egregiously gamed far beyond current OCP maximums and the original intent of the Council that created the zone. It is strongly felt that allowing R-48 applicants to cherry pick to their advantage the one OCP/DCAP policy that allows extra height and then ignore all of the other limiting policies of our core planning bylaws has to stop. Council needs to decline any height variance that facilitates any configuration that doesn't comply 100% with DCAP policy for height, setbacks and floor plate sizes and OCP density maximums...period.

This application facilitates the undermining of our core planning documents and is a perfect demonstration of the wrong kind of development for our community. It is high time for Council to support liveability for Victoria's downtown.

Sincerely,



Ian Sutherland
Chair Land Use Committee Downtown Residents Association